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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/028,899	12/20/2001	Robert Alan Reid	01 P 09444 US	2160
21171	7590	06/22/2007		
STAAS & HALSEY LLP SUITE 700 1201 NEW YORK AVENUE, N.W. WASHINGTON, DC 20005			EXAMINER BULLOCK JR, LEWIS ALEXANDER	
			ART UNIT 2195	PAPER NUMBER
			MAIL DATE 06/22/2007	DELIVERY MODE PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

<p align="center">Advisory Action Before the Filing of an Appeal Brief</p>	<p>Application No. 10/028,899</p>	<p>Applicant(s) REID, ROBERT ALAN</p>	
	<p>Examiner Lewis A. Bullock, Jr.</p>	<p>Art Unit 2195</p>	

--The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

THE REPLY FILED 07 June 2007 FAILS TO PLACE THIS APPLICATION IN CONDITION FOR ALLOWANCE.

1. ☒ The reply was filed after a final rejection, but prior to or on the same day as filing a Notice of Appeal. To avoid abandonment of this application, applicant must timely file one of the following replies: (1) an amendment, affidavit, or other evidence, which places the application in condition for allowance; (2) a Notice of Appeal (with appeal fee) in compliance with 37 CFR 41.31; or (3) a Request for Continued Examination (RCE) in compliance with 37 CFR 1.114. The reply must be filed within one of the following time periods:

- a) ☒ The period for reply expires 3 months from the mailing date of the final rejection.
b) ☐ The period for reply expires on: (1) the mailing date of this Advisory Action, or (2) the date set forth in the final rejection, whichever is later. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of the final rejection.

Examiner Note: If box 1 is checked, check either box (a) or (b). ONLY CHECK BOX (b) WHEN THE FIRST REPLY WAS FILED WITHIN TWO MONTHS OF THE FINAL REJECTION. See MPEP 706.07(f).

Extensions of time may be obtained under 37 CFR 1.136(a). The date on which the petition under 37 CFR 1.136(a) and the appropriate extension fee have been filed is the date for purposes of determining the period of extension and the corresponding amount of the fee. The appropriate extension fee under 37 CFR 1.17(a) is calculated from: (1) the expiration date of the shortened statutory period for reply originally set in the final Office action; or (2) as set forth in (b) above, if checked. Any reply received by the Office later than three months after the mailing date of the final rejection, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

NOTICE OF APPEAL

2. ☐ The Notice of Appeal was filed on _____. A brief in compliance with 37 CFR 41.37 must be filed within two months of the date of filing the Notice of Appeal (37 CFR 41.37(a)), or any extension thereof (37 CFR 41.37(e)), to avoid dismissal of the appeal. Since a Notice of Appeal has been filed, any reply must be filed within the time period set forth in 37 CFR 41.37(a).

AMENDMENTS

3. ☐ The proposed amendment(s) filed after a final rejection, but prior to the date of filing a brief, will not be entered because
(a) ☐ They raise new issues that would require further consideration and/or search (see NOTE below);
(b) ☐ They raise the issue of new matter (see NOTE below);
(c) ☐ They are not deemed to place the application in better form for appeal by materially reducing or simplifying the issues for appeal; and/or
(d) ☐ They present additional claims without canceling a corresponding number of finally rejected claims.

NOTE: _____. (See 37 CFR 1.116 and 41.33(a)).

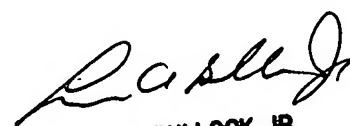
4. ☐ The amendments are not in compliance with 37 CFR 1.121. See attached Notice of Non-Compliant Amendment (PTOL-324).
5. ☐ Applicant's reply has overcome the following rejection(s): _____.
6. ☐ Newly proposed or amended claim(s) _____ would be allowable if submitted in a separate, timely filed amendment canceling the non-allowable claim(s).
7. ☐ For purposes of appeal, the proposed amendment(s): a) ☐ will not be entered, or b) ☐ will be entered and an explanation of how the new or amended claims would be rejected is provided below or appended.
The status of the claim(s) is (or will be) as follows:
Claim(s) allowed: _____.
Claim(s) objected to: _____.
Claim(s) rejected: _____.
Claim(s) withdrawn from consideration: _____.

AFFIDAVIT OR OTHER EVIDENCE

8. ☐ The affidavit or other evidence filed after a final action, but before or on the date of filing a Notice of Appeal will not be entered because applicant failed to provide a showing of good and sufficient reasons why the affidavit or other evidence is necessary and was not earlier presented. See 37 CFR 1.116(e).
9. ☐ The affidavit or other evidence filed after the date of filing a Notice of Appeal, but prior to the date of filing a brief, will not be entered because the affidavit or other evidence failed to overcome all rejections under appeal and/or appellant fails to provide a showing of good and sufficient reasons why it is necessary and was not earlier presented. See 37 CFR 41.33(d)(1).
10. ☐ The affidavit or other evidence is entered. An explanation of the status of the claims after entry is below or attached.

REQUEST FOR RECONSIDERATION/OTHER

11. ☒ The request for reconsideration has been considered but does NOT place the application in condition for allowance because:
See Continuation Sheet.
12. ☐ Note the attached Information Disclosure Statement(s). (PTO/SB/08) Paper No(s). _____.
13. ☐ Other: _____.


LEWIS A. BULLOCK, JR.
PRIMARY EXAMINER

Continuation of 11. does NOT place the application in condition for allowance because: Applicant's arguments are unpersuasive. Applicant argues that the language of the first, second, and third illustrates different task and that there is no teaching in Fleck that teaches the calling task, the called task, and the interrupt handler being different task wherein one of the calling task or the called task is the interrupt handler. The examiner disagrees. The term used in the claims is a first task, a second task, and a third task. There is no clear understanding of how first, second, and third regarding a task illustrates the difference in the tasks. The interpretation of first task, second task, third task is unlimited, some of which are provided below. One interpretation is that the first, second, and third task are subtask of an overall task, such that the switching performs switching between the different subtask. Another interpretation is a combination of the tasks are on part of the same task. Another is that all are separate executable operations from one another and are not directly related, i.e. task A is a spreadsheet task, task B is a word processing task, task C is a mail task. Fleck teaches two types of task, software managed task and interrupt service routines (col. 3, lines 5-7). Software management task are user task and execute in user mode whereas interrupt service task are expected to execute in supervisor mode (col. 3, lines 15-20). Fleck states that when a function call is made the calling routine has a context that must be saved and then restored in order to resume the caller's execution after return from the function (col. 4, lines 11-13). Similarly, when an interrupt occurs asynchronously, the context saved must include all registers that the interrupted task might be using (col. 4, lines 10-17). Therefore, when the called function experiences an interrupt, its registers must be saved such that the interrupt service routine is switched in and executed. Applicant's argument that one of the calling or called routines is the ISR is improper, because the ISR is in the supervisor mode, e.g. lower protection domain, from the user tasks. Therefore, the reference teaches three task in the broadest sense. Applicant remaining arguments apply that Fleck either singly or in combination does not teach returning execution to a previous task, i.e. second, third, etc., and at best teaches a context save area in front of the previous context list getting written to. The examiner disagrees. Fleck is concerned with the saving of task information when switching between tasks, i.e. when calling a software routine or returning from a function to its caller (col. 1, lines 28-44). Fleck teaches to save a current context, a context save area (CSA) is taken from the free list, the current context is stored into the save area, and the save area is added to the head of the previous context list (col. 1, lines 60-66). The saving of a context is performed in connection with a function call, or with taking a trap or interrupt, thereby leaving the called function or interrupt or trap handler free to modify the general registers and other processor state without destroying the context of the calling function or interrupt task (col. 2, lines 1-6). To exit a called function or trap or interrupt handler and switch back to the previous context, the processor performs the steps of the save area at the head of the previous context list is removed from that list, the current context is loaded from the save area just removed from the previous context list, the save area is added to the free context save area list (col 2, lines 7-15). These steps are performed as part of the function return instruction, or the instruction to return from an interrupt or trap handler (col. 2, lines 16-18). From at least the above recitations, Fleck teaches returning execution to a previous task whose context was saved, by executing a return operation that takes the head of the previous context list and loads its values. By the amount of times this is executed, there are different values. Therefore, Fleck adequately teaches the limitations of the claims as written and therefore the rejection is maintained.